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**ILLINOIS COMMERCE COMMISSION** STATE OF ILLINOIS

**ORIGINAL**  
COMMERCE COMMISSION

Apr 24 9 44 AM '02

**ILLINOIS COMMERCE COMMISSION**

ILLINOIS INDEPENDENT TELEPHONE )  
ASSOCIATION )

Petition for initiation of an investigation )  
of the necessity of and the establishment )  
of a Universal Service Support Fund in )  
accordance with Section 13-301(d) of )  
the Public Utilities Act )

ILLINOIS COMMERCE COMMISSION )  
On Its Own Motion )

Investigation into the necessity of and, )  
if appropriate, the establishment of a )  
universal support fund pursuant to )  
Section 13-301(d) of the Public Utilities )  
Act. )

) Docket No. 00-0233

) Consol.

) Docket No. 00-0335

CHIEF CLERK'S OFFICE

**RESPONSE OF VERIZON NORTH INC. AND VERIZON SOUTH INC.  
TO THE MOTION TO CONSOLIDATE OF  
AT&T COMMUNICATIONS OF ILLINOIS**

Verizon North Inc. and Verizon South Inc. (collectively referred to as "Verizon"),  
through its attorneys, hereby submit to the Illinois Commerce Commission (the "Commission")  
this Response to the Motion to Consolidate of AT&T Communications of Illinois ("AT&T").

1. Verizon opposes the consolidation of ICC Docket Nos. 00-0233/00-0335 consol.  
with Docket No. 01-0808.

2. ICC Docket Nos. 00-0233/00-0335 consol. address the issue of whether, and to  
what extent, to create an intrastate universal service under Section 13-301(d) of the Public  
Utilities Act ("Act").

3. In contrast, ICC Docket No. 01-0808 involves the issues of whether the intrastate access charges should mirror interstate access charge reductions, or whether the mirror should be broken and intrastate access charges be based on costs or some other type of methodology.

4. The Commission has previously recognized the difference between universal subsidies and access charges. In its First Interim Order in Docket Nos. 00-0233/00-0335 consol., the Commission stated that “[a]ccess revenue replacements are not tantamount to universal service subsidies.” (First Interim Order, p., 7). Here, it is readily evident that subject intrastate universal service subsidies at issue in Docket Nos. 00-0233/00-0335 consol. are completely different than the intrastate access charge issue before the Commission in Docket No. 01-0808.

5. Section 200.600 of the Commission’s Rules of Practice provides:

Section 200.600 Consolidation and Severance

The Commission or Hearing Examiner may order two or more proceedings *involving a similar question of law or fact* to be consolidated where rights of the parties or the public interest will not be prejudiced by such procedure. The Commission or Hearing Examiner may order separate proceedings if issues cannot be conveniently disposed of with other issues in the proceeding, or if for any other reason severance of the parties is required.

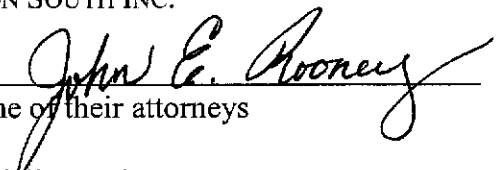
83 Ill.Adm.Code 200.600. Under the Commission’s rules, the two subject dockets cannot be consolidated. Section 200.600 allows for consolidation for proceedings involving similar questions of law or fact. Here, the issues are dissimilar: access charges are not equivalent to universal service issues.

6. Given the fact that the issues are dissimilar, there is no basis upon which to consolidate the two dockets. Accordingly, Verizon urges the Commission to deny the Motion to Consolidate.

Dated: April 23, 2002

Respectfully submitted,

VERIZON NORTH INC. AND  
VERIZON SOUTH INC.


By:   
One of their attorneys

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**CERTIFICATE OF SERVICE**

I, John E. Rooney, hereby certify that I served a copy of the Response of Verizon North Inc. and Verizon South Inc. to the Motion to Consolidate of AT&T Illinois upon the service list in Docket Nos. 00-0233/0335 on April 23, 2002, by email.

  
\_\_\_\_\_  
John E. Rooney

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